

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA

GEORGE B. WILLIAMS,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. 1:13CV89
	)	
RICHARD L. NEELEY,	)	
	)	
Respondent.	)	
	)	
	)	

ORDER AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE

This case is before the Court on Petitioner's Motion for Sanctions and Other Disciplinary Action Against Counsel of Record and Respondent [Doc. #32], Motion to Make Additional Findings and Amend the Judgment [Doc. #33], and Motion [Doc. #36] seeking a copy of Document 21. The Motion for Sanctions seeks sanctions against opposing counsel and Respondent for allegedly not sending him a copy of Respondent's Response [Doc. #21] opposing a Motion to Alter or Amend Judgment [Doc. #20] previously filed by Petitioner. Petitioner filed an earlier similar Motion for Sanctions [Doc. #27], which the Court denied because Petitioner failed to follow the procedures of Rule 11 of the Federal Rules of Civil Procedure and because he established no basis for imposing sanctions. (Order [Doc. #29].) For those same reasons, Petitioner's current Motion for Sanctions will be denied.

Petitioner next seeks to reopen or amend the Court's earlier Judgment [Doc. #19] denying his habeas petition and the Judgment [Doc. #31] denying his earlier Motion to Alter or Amend. Petitioner mainly repeats the history of the case and makes arguments previously rejected. To any extent that he raises new arguments, they provide no basis for altering or amending the earlier Judgments.<sup>1</sup> Therefore, his current Motion to Make Additional Findings or Amend the Judgment should be denied.

Finally, Petitioner brings a Motion requesting a copy of Document 21, which is Respondent's Response to the earlier Motion to Alter or Amend.<sup>2</sup> The Court will grant that request and provide Petitioner with a copy of that Response. The Court also notes that the requested document is a very short Response, simply referring the Court to the arguments raised in Respondent's prior briefing. Thus, the Response simply provided notice that Respondent opposed the Motion to Alter or Amend, and the Response did not impact or affect the Court's determinations. Therefore, Petitioner could not have suffered any prejudice even if he did not receive the Response previously.

IT IS THEREFORE ORDERED that Petitioner's Motion for a Copy of Document 21 [Doc. #36] is GRANTED and that the Clerk's Office will provide Petitioner with a copy of Respondent's April 23, 2014 Response [Doc. #21].

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<sup>1</sup> Petitioner also asks that new judges be assigned to handle his case. His allegation is that the undersigned and the United States District Judge handling the case are biased against him, but his support for that allegation is essentially that he lost in prior rulings in the case. Unfavorable rulings are not a sufficient basis to show bias or warrant a reassignment of the case.

<sup>2</sup> Petitioner also asks certain questions in his filing. He first inquires as to who referred his earlier Motion to Alter or Amend to the undersigned. The Clerk's Office referred that Motion in accordance with this Court's normal operating procedures. Petitioner also asks why the docket entries for Documents 21 and 28 contain notations that the text was modified and whether he should have been notified of the modifications. Those notations indicate that the text of the docket sheet, not the text of the underlying documents, was modified by the Clerk's Office for internal clerical reasons. No notification to the parties is required for the Court's own modifications to its docket sheet.

IT IS FURTHER ORDERED that Petitioner's Motion for Sanctions [Doc. #32] is DENIED.

IT IS RECOMMENDED that Petitioner's Motion to Make Additional Findings and Amend the Judgment [Doc. #33] be denied.

This, the 14<sup>th</sup> day of November, 2014.

/s/ Joi Elizabeth Peake  
United States Magistrate Judge